

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 444 OF 2004

IN

WRIT PETITION NO. 1127 OF 1995

1. The Divisional Forests Officer,
Satara Divn., Satara, Dist.Satara;
& anr. ... Applicants

V/s

1. The General Secretary,
Kamgar Union,
Sarva Shramik Sangh, 1, Bhavani Peth,
Satara, Dist. Satara. ... Respondent

Mr. S.K. Chinchalikar, Govt. Pleader for the applicants.

Mr. N.A. Kulkarni for the respondent.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 21ST APRIL, 2007.

P.C.:

1. This civil application has been filed by the petitioners seeking a direction from this Court that the amount, which has been deposited by the petitioners pursuant to the order of this Court in Writ Petition No. 1127 of 1995 dated 15.3.1997, should be paid over to the applicants who would then pay the amount to the respondent union.

2. In my view, this prayer cannot be allowed. Once the petition has been dismissed and decided in favour of the workmen by the order of Rebello, J. on 16.7.1997, the applicants do not have any right to withdraw the amount. That amount which is deposited in the Labour Court, must be paid over to the workmen alongwith the interest accrued thereon as already concluded by the judgment and order dated 16.7.1997.

3. Hence, the civil application is dismissed.

4. This Court has already directed the Labour Court to disburse the amount deposited to the concerned workmen or their widows.

(SMT. NISHITA MHATRE, J.)